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10/593,008	09/18/2006	David Libault	INVTEL04001	6978

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EXAMINER	
NGO, CHUONG A	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/593,008	LIBAULT ET AL.	
	Examiner	Art Unit	
	CHUONG A. NGO	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 April 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-26 have been considered but they are not persuasive.

In response to Applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Applicant's arguments with respect to claims 1-26 that reference neither Dorenbosch nor Kammer, whether taken alone or in combination, teach or suggest each and every limitation.

In contrast to Applicant assertion, Examiner very kindly directs the Applicant to where Dorenbosch discloses i.e. "Local radio communication device" **(see abstract and col. 1, lines 75-65, Fig. 1, mobile wireless router)** comprising at least:

Dorenbosch discloses "one IP point of access adapted to communicate at least outwards from the network in IP mode" **(see col. 1, lines 63-65, The mobile wireless router 100 further comprises a**

conventional network interface 106 for coupling to a first IP network 204 (FIG. 2)),

Dorenbosch discloses "a point-to-point communication module adapted to communicate at least with a terminal according to at least one point-to-point communication protocol" **(see col. 1, lines 63-67, col. 2, lines 1-4, Dorenbosch discuses the network interface 106 preferably includes a conventional short range wireless transceiver, such as a Bluetooth transceiver, therefore, point-to-point)**, and Dorenbosch discloses "a first interface adapted to allow the IP access point to communicate with the point-to-point communication module" **(see Fig. 1, network interface 106)**, Dorenbosch discloses "wherein the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point" **(see Col. 1, lines 63-65, where Dorenbosch discloses the mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2))**, "in the form of at least one software controlled port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions" **(see Col. 2, lines 17-36, a communications program 112 for programming the processor 104 to cooperate with the first and second wireless transceivers 102, 108 and with the network interface 106 to control communications)**.

Although, Dorenbosch discloses using software controlled port, However, Dorenbosch does not particularly disclose a "virtual port". In an analogous field of endeavor, attention is directed to Kammer, which teaches "virtual port" **(see abstract and, col. 3, lines 48-56, ..the virtual serial port for the legacy application is opened by a virtual serial port driver.., col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections.., col. 10, lines 38-67, FIG. 7, devices A 702 and B 704 (using RFCOMM to communicate) may open multiple emulated (" virtual") serial ports 730a and 730b)**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch invention, and have virtual port, as taught by Kammer, thereby, provide an application program interface that emulate serial ports, as discussed by Kammer, (see Fig. 1A and col.1, line 56-67, col. 2, lines 1-9, and lines 58-67, serial port profile).

one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See IN RE KELLER, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); IN RE MERCK & CO., 800 F.2d 1091, 231 USPQ 375 (FED. CIR. 1986).

2. The examiner has updated the rejection to further clarify and has not changed the interpretation of the rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-4, 6-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6757269 (hereinafter Dorenbosch) in view of US Patent 6826387 (hereinafter Kammer).

Consider claim 1, Dorenbosch discloses "Local radio communication device" **(see abstract and col. 1, lines 75-65, Fig. 1, mobile wireless router)** comprising at least:

Dorenbosch discloses "one IP point of access adapted to communicate at least outwards from the network in IP mode" **(see col. 1, lines 63-65, The mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2))**,

Dorenbosch discloses "a point-to-point communication module adapted to communicate at least with a terminal according to at least one point-to-point communication protocol" **(see col. 1, lines 63-67, col. 2,**

lines 1-4, Dorenbosch discuses the network interface 106 preferably includes a conventional short range wireless transceiver, such as a Bluetooth transceiver, therefore, point-to-point), and Dorenbosch discloses "a first interface adapted to allow the IP access point to communicate with the point-to-point communication module" **(see Fig. 1, network interface 106)**, Dorenbosch discloses "wherein the first interface is adapted to be presented to an electronic device communicating in IP mode with the IP access point" **(see Col. 1, lines 63-65, where Dorenbosch discloses the mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2))**, "in the form of at least one software controlled port and the said first interface is adapted to be controlled by the said electronic device by means of control instructions" **(see Col. 2, lines 17-36, a communications program 112 for programming the processor 104 to cooperate with the first and second wireless transceivers 102, 108 and with the network interface 106 to control communications)**.

Although, Dorenbosch discloses using software controlled port, However, Dorenbosch does not particularly disclose a "virtual port". In an analogous field of endeavor, attention is directed to Kammer, which teaches "virtual port" **(see abstract and, col. 3, lines 48-56, ..the virtual serial port for the legacy application is opened by a virtual serial port**

driver.., col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections.., col. 10, lines 38-67, FIG. 7, devices A 702 and B 704 (using RFCOMM to communicate) may open multiple emulated (" virtual") serial ports 730a and 730b).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch invention, and have virtual port, as taught by Kammer, thereby, provide an application program interface that emulate serial ports, as discussed by Kammer, (see Fig. 1A and col.1, line 56-67, col. 2, lines 1-9, and lines 58-67, serial port profile).

Consider claims 2, 3, Dorenbosch discloses "wherein the point-to-point communication module is adapted to communicate with the terminal by a serial radio link" **(see Fig. 1, network interface 106, add also see Kammer, col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections..,)**.

Consider claims 4, 6, Dorenbosch discloses "wherein the IP access point is connected to the Internet network" **(see Col. 1, lines 63-65, where Dorenbosch discloses the mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2))**.

Consider claim 7, Dorenbosch discloses "wherein the IP access point communicates in IP mode with the local electronic device by radio

channels according to the standard IEEE 802.11" **(see col. 2, line 3, Dorenbosch discuses WLAN, therefore, 802.11)**.

Consider claim 8, has limitations similar to those treated in the above rejection(s), and are met by the references as discussed above and **addition see Kammer teaches (see col. 7, lines 48-51)**.

Consider claims 9, 26, Dorenbosch discloses "moreover, the said electronic device and wherein the electronic device is adapted to be connected to a predetermined IP address corresponding to the said access point during the opening of the said virtual serial link, and thus to control the said first interface by the "AT" instructions" **(see col. 2, lines 4-11, Dorenbosch discuses modem, therefore, first interface by the "AT" instructions)**.

Consider claim 10, 14, "wherein the first interface is adapted to be presented to the electronic device communicating with the IP access point, in the form of several virtual serial ports corresponding respectively to several terminals adapted to communicate by radio with the point-to-point communication module" **(see Kammer, col. 3, lines 48-56, ..the virtual serial port for the legacy application is opened by a virtual serial port driver.., col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections.., col. 10, lines 38-67, FIG. 7, devices A 702 and B 704 (using RFCOMM to**

communicate) may open multiple emulated (" virtual") serial ports 730a and 730b).

Consider claim 11, 13, Dorenbosch discloses "wherein the first interface is adapted to: indicate, to an electronic device communicating with the IP access point, several terminals with which the said point-to-point communication module can communicate, and route the communications between the electronic device and the said terminals according to commands received from the said electronic device communicating with the IP access point" **(see col. 1, lines 56-67, .. The mobile wireless router 100 comprises a conventional first wireless transceiver 102 for accessing a wireless packet data channel 206 (FIG. 2), preferably from a cellular telephone system having packet data capability. The mobile wireless router 100 further comprises a conventional network interface 106 for coupling to a first IP network 204 (FIG. 2)...)**.

Consider claim 12, Dorenbosch discloses "wherein the terminals indicated by the first interface to the electronic device communicating with the IP access point, are predetermined terminals, recognized in advance by the said interface" **(see Fig. 1, interface 106)**.

Consider claim 15, "wherein the point-to-point communication module communicates with the said terminal according to the "BLUETOOTH" protocol and is adapted to identify itself in "BLUETOOTH"

mode like the said several devices" **(see Kammer, col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections..)**.

Consider claims 16, 18 Dorenbosch discloses "wherein the point-to-point communication module is adapted to be presented to the terminal at least like a printer, and to route the data to be printed, received from the terminal to a printer that communicates in EP mode with the IP access point" **(see col. 1, lines 10-20, a printer, PDA, or notebook PC, can connect to an MS (through, for example, a cable, Bluetooth, or other wireless internet protocol (IP) technology such as IEEE 802.11x))**.

Consider claim 17, "wherein the point-to-point communication module is adapted to be presented to the terminal at least like a serial port, and to route a communication initiated by the terminal, to an electronic device that communicates in IP mode with the IP access point" **(see Kammer, col. 6, lines 23-28, A Bluetooth system supports both point-to-point and point-to-multi-point connections..)**.

Consider claim 19, Dorenbosch discloses "wherein the first interface is adapted to: indicate, at least to the terminal, the entities with which the said terminal can communicate in IP mode by means of the said IP access point, and route at least some communications between the said terminal and the said entities according to commands received from the said terminal" **(see Fig. 1, interface 106)**.

Consider claim 20, Dorenbosch discloses "wherein the first interface is adapted to route at least some communications initiated by the said terminal automatically towards a predetermined entity" **(see col. 2, lines 18-27, the network interface 106 for controlling and communicating with the first and second wireless transceivers 102, 108 and the network interface 106)**.

Consider claim 21, Dorenbosch disclose all the subject matters of the claimed invention concept except for "OBEX protocol". In an analogous field of endeavor, attention is directed to Kammer, which teaches "OBEX protocol" **(see col. 9, lines 37-48)**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch invention, and have OBEX protocol, as taught by Kammer, thereby, provide an application program interface that emulate serial ports, as discussed by Kammer, (see Fig. 1A and col.1, line 56-67, col. 2, lines 1-9, and lines 58-67, serial port profile**)**.

Consider claims 22, 23 Dorenbosch discloses "wherein the first interface is adapted to transfer, on request, the objects of the terminal between the said terminal and a predetermined storage entity" **(see Fig. 2, Link 206 and mobile 100 to LAN 204)**.

Consider claim 24, Dorenbosch discloses "wherein the point-to-point communication module, the first interface and the IP access point

are combined in an Internet communication terminal" **(see Fig. 2, between mobile 100 to LAN 204)**.

Consider claim 25, "wherein the said virtual port is a serial port" **(see Fig. 2, between mobile 100 to LAN 204)**.

5. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6757269 (hereinafter Dorenbosch) in view of US Patent 6826387 (hereinafter Kammer) and further in view of US Patent Application Publication 20040146072 (hereinafter Farmwald).

Consider claim 5, Dorenbosch and Kammer disclose modem. However, Dorenbosch and Kammer do not particularly show an "ADSL interface". In an analogous field of endeavor, attention is directed to Farmwald, which teaches "ADSL interface" **(see paragraphs [0076], [0081], Farmwald discuses DSL and ADSL as ports may, for example, be virtual or physical ports, such as an I/O bus, or logical ports, such as software threads sharing data through memory transfer)**.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was make to combine the Dorenbosch and Kammer inventions, and have ADSL interface, as taught by Farmwald, thereby, improved systems for the enabling and transport of new broadband data services to and from customer equipment, as discussed by Farmwald, (see paragraphs [0002]-[0008]).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

   a. US 20040160904 A1.

   b. US 20040160904 A1

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

   A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

   Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHUONG A. NGO whose telephone number is 571-270-7264. The examiner can normally be reached on Monday through Thursday 6:00AM to 4:30PM.

   If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax

phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHUONG A NGO/
Examiner, Art Unit 2617

/KAMRAN AFSHAR/

Primary Examiner, Art Unit 2617